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LEGISLATIVE NOTES AND REVIEWS

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Administrative Reorganization in Ohio. A joint legislative committee on administrative reorganization was established in Ohio in 1919, with Senator Frank E. Whittemore as chairman. This committee organized an investigation of the existing administrative system in Ohio, which was conducted under the general supervision of Mr. Don C. Sowers, director of the Akron Bureau of Municipal Research. The results of the investigation were published in a series of about seventy-five or eighty small pamphlets, and a summary of the recommendations involved in these separate pamphlets was embodied in a pamphlet summary. A good deal was accomplished by this investigation, and Governor Harry L. Davis made his campaign for nomination and election to the governorship in 1920, largely on the program of state administrative reorganization.

When Governor Davis came into office no specific work had, however, been done upon a comprehensive single plan, and no details of a bill had been worked out. Messrs. George E. Frazer and Walter F. Dodd of Chicago, and Prof. Clarence D. Laylin of the Ohio State University, were engaged by Governor Davis and the legislative committees in charge of this matter, to assist in obtaining agreement upon a definite program and in drafting this agreement in the form of legislation. An act to establish an administrative code, embodying the results of the work outlined above, was approved by the governor on April 26, 1921. This act contains an emergency clause excepting it from the referendum, and was adopted by more than two-thirds vote of the two houses. The constitutionality of the emergency clause has been sustained by the supreme court of Ohio.

The administrative code of Ohio does not touch the constitutional offices of lieutenant governor, secretary of state, auditor of state, treasurer of state, and attorney general. It does not affect what is perhaps the most serious constitutional difficulty in Ohio from the administrative standpoint, the two year term of governor. It is well recognized both in Ohio and elsewhere that the governor cannot effec-

tively conduct a state administrative system if there must be a change or the possibility of change in the governorship each two years.

An outline is given below of the departments organized by the Ohio administrative code and of the work assigned to each of these departments:

Department of Finance: budget, financial control, purchases and printing, tax commission.

Department of Commerce: supervision over banks, building and loan associations, state fire marshal, insurance, inspection of oil, supervision over securities, public utilities.

Department of Highways and Public Works: work of present department of public works, highways, state architect and engineer, supervision over purchase of real estate, planning of all building construction, custody of capitol building and grounds.

Department of Agriculture: animal industry, fish and game, foods and dairies, plant industry, state fair.

Department of Health: All of the present health activities of the state.

Department of Industrial Relations: All of the present activities of the industrial commission, including factory inspection, labor, statistics, mines, workmen's compensation.

Department of Education: general supervision over professional licensing boards, film censorship, all of the present work of the department of education, libraries. The director of education is made ex-officio a member of the board of trustees of each of the normal schools and of each of the three universities, and also a member of the board of trustees of the Ohio archaeological and historical society.

With respect to the educational organization, each of the normal schools and each of the three universities is left with its independent board. A coördination among the several institutions is sought by making the director of education ex-officio a member of each of these boards. In the past the Ohio agricultural experiment station has been under a board independent of the trustees of the Ohio State University. The administrative code provides that the board of control of the state agricultural experiment station shall consist of the director of agriculture and the members of the board of trustees of the Ohio State University, and thus seeks to bring about a closer coördination of these related activities. Aside from the addition of the director of education as an ex-officio member of the Ohio State University, no changes have been made in the governing body of that university. The board of

trustees of Miami University and the boards of normal schools have been left substantially as they were, except for the addition of the director of education as ex-officio a member of such boards. The board of trustees of the Ohio University has been reduced to seven members (with the director of education an additional ex-officio member). It was thought unwise in connection with the Ohio reorganization to consolidate completely the control of higher educational institutions.

The tax commission of Ohio, the industrial commission, and the public utilities commission, are left with their present membership, and with members having overlapping terms. In the contemplation of the act these commissions are to be entirely independent in the performance of their quasi judicial functions, but are to be parts of their respective departments for administrative matters. In order to carry out this plan the director of finance is secretary of the tax commission, the director of commerce is secretary of the public utilities commission, and the director of industrial relations is secretary of the industrial commission.

For the headship of the department of education and of the department of highways and public works constitutional officers are designated. By the constitution of Ohio there is an officer appointed for four years and known as the superintendent of public instruction. The superintendent of public instruction, although appointed by the governor, serves for twice the term of the governor. In spite of this, however, it was thought best to consolidate all of the educational work of the state under the superintendent of public instruction as director of education. In the state of Ohio there is also a constitutional officer known as superintendent of public works, appointed by the governor for the term of one year. The superintendent of public works under the Ohio administrative code becomes the director of the department of highways and public works.

The most distinctive features of the Ohio reorganization are the following:

1. The development to a greater extent than in any other state of the theory that administrative work should be conducted by single heads of departments. The three important commissions mentioned above have been continued, but their administrative work has been to a much greater extent than in other states coördinated with the departments created by the administrative code. In line with the view herein suggested, the Ohio reorganization act provides for few

boards even of an advisory character, but authorizes the departments with the consent of the governor to create such boards in cases where it may be deemed desirable.

2. In direct line with what has been suggested above, the heads of divisions within each department are made appointive by the heads of such departments rather than by the governor. That is, to a much greater extent than in any other state the head of each department is in command of the work of that department. One important exception to this statement may be noted. The division of banks in the department of commerce is more distinctly independent of the department of commerce than are the other administrative divisions of that or of any other department. This independence consists primarily of the fact that the head of the division of banks is appointed directly by the governor.

3. The governor is given complete command over the heads of his departments, each director holding his office during the pleasure of the governor.

Another important element in the Ohio reorganization is that by which all of the library activities of the state are placed under the department of education. A state library board is created to be composed of the director of education and of four other members to be appointed by the governor, and it is hoped that a dignified and effective position will through the new organization be given to the library services of the state.

Governor Harry L. Davis both in his campaign and after his election was the chief factor in bringing about the reorganization of the state administration of Ohio, and this reorganization is perhaps the most effective yet planned in this country, except for the fact of the constitutional limitation of the governor's term. In connection with this reorganization, Governor Davis had the loyal coöperation of the house and senate committees on administrative reorganization, and great credit for the enactment of this legislation is due to the members of these committees, and particularly to the chairmen, Senator Wallace W. Bellew, and Representative Robert C. Dunn.

W. F. D.

Administrative Reorganization in Missouri. In Missouri, Governor Hyde made the consolidation of state administration one of the foremost features of his legislative program. Seven distinct measures were introduced, of which all, except the one providing for a consolidation of the boards governing the state teachers' colleges, were passed.